

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

BRIAN J. STRETCH (CSBN 138549)
Chief, Criminal Division

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Facsimile: (415) 436-7253
Email: scott.schools2@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) CR 3-07-0531 SI
Plaintiff,) [PROPOSED] ORDER TO EXCLUDE
v.) TIME BETWEEN AUGUST 14, 2007 AND
ROMMEL BORJAS) SEPTEMBER 7, 2007
a/k/a "Shorty")
Defendant.)

The parties appeared on August 14, 2007 for arraignment on an indictment. The defendant entered a plea of not guilty. The case was continued to September 7, 2007 for an initial appearance in district court in front of The Hon. Susan Illston, United States District Judge.

The government has provided discovery to the defendant, but counsel was appointed only on August 9, 2007, and needs to review the discovery, conduct any appropriate investigation, and discuss potential courses of conduct with the defendant prior to the scheduled hearing on September 7, 2007. The parties stipulate and agree that failure to exclude the time period between August 14, 2007 and September 7, 2007 from computation under the Speedy Trial Act

ORDER
CR 03-06-70746 JCS

would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(A) and (B)(iv). The parties further stipulate that the ends of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial. For these reasons and with the agreement of the parties, the Court hereby finds that the time between August 14, 2007 and September 7, 2007 shall be excluded under the Speedy Trial Act.

DATED: 08/21/07

/s/ Daniel Blank
DANIEL BLANK
Attorney for Defendant Rommel Borjas

DATED: 08/21/07

/s/ Scott N. Schools
SCOTT N. SCHOOLS
United States Attorney

IT IS SO ORDERED.

DATED: _____

JOSEPH C. SPERO
United States Magistrate Judge